

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

In Re:

CIRCUIT CITY STORES, INC., *et al.*

Debtors

Case No. 08-35653-KRH

(Chapter 11)

MADISON WALDORF, LLC'S JOINDER IN LANDLORDS' MOTION FOR
RECONSIDERATION TO ALTER OR AMEND THE JUDGMENT REGARDING
PAYMENT OF NOVEMBER RENT AND MEMORANDUM IN SUPPORT THEREOF

(Store No. 704)

Madison Waldorf, LLC ("Landlord"), by and through its counsel, Bean Kinney & Korman, PC, hereby joins in Landlords' Motion for Rehearing and/or Reconsideration and/or to Alter or Amend the Judgment Regarding Payment of November Rent and Memorandum in Support Thereof" [Docket No. 1347] filed on January 2, 2009 (the "Landlords' Motion").

1. Jurisdiction to consider this matter is vested in the Court pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is prescribed by 28 U.S.C. §§ 1408 and 1409.
2. On March 27, 1990, Debtor Circuit City Stores, Inc. ("Debtor"), and Landlord's predecessor in interest, Madison Waldorf Retail Limited Partnership, entered into a Lease

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Agreement, pursuant to which Debtor occupies approximately 15,442 square feet at the Festival at Waldorf Shopping Center in Waldorf, Maryland.(the "Lease").

3. Present monthly base and additional rent under the Lease total \$34,422.06 per month, as shown on the Aged Delinquencies annexed as Exhibit 1.
4. Landlord filed a Motion for Order Compelling Payment of Post-Petition Rent as an Administrative Expense on December 23, 2008 and related notice. (Docket Nos. 1245 and 1246). The hearing on such request is set for January 16, 2009 at 10:00 a.m. The request stems from Debtors' withholding of all rent for November 2008.
5. Pursuant to agreement with counsel for Debtors, Landlord stipulated that the Court's prior ruling with respect to similar requests by lessors for November 2008 rent would, in the first instance, be applicable to Landlord's foregoing motion filed on December 23, 2008, subject, however, to Landlord's right to seek reconsideration of such order and reservation of all appeal rights.
6. Madison Waldorf, LLC accordingly hereby joins in the Landlords' Motion [Docket No. 1347] and, for the reasons set forth therein, requests payment of unpaid rent for November 2008 in the amount of \$34,422.06.

WHEREFORE, Madison Waldorf, LLC requests an order granting the request for reconsideration and order allowing and compelling payment of unpaid post-petition rent as an administrative expense, plus its reasonable counsel fees and costs, as administrative expenses, and such other relief deemed appropriate by the Court.

Dated: January 15, 2009

Respectfully submitted,

/s/ Mitchell B. Weitzman

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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2009, a copy of the foregoing Joinder in Landlords' Motion for Reconsideration is be served by electronic means via the Court's ECF/CM system and to the following:

Daniel F. Blanks
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Mitchell B. Weitzman

Database: MMRS2A	Aged Delinquencies	Page: 1
BLDG: WAL003	Madison Marquette	Date: 11/10/2008
	The Shops at Waldorf	Time: 03:25 PM
	Period: 11/08	

Invoice Date	Category	Source	Amount	Current	1 Month	2 Months	3 Months	4 Months
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WAL003-000505 Circuit City Master Occupant Id: 00000318-1 Day Due: 1 Delq Day:
Rick Nesterak 327 Current Last Payment: 9/29/2008 34,422.06
(301) 932-9100

4/15/2008	CAY	Prior Yr CAM Reimburse	NC	-118.63	0.00	0.00	0.00	0.00	-118.63
11/1/2008	BMR	Base/Minimum Rent	CH	29,768.75	29,768.75	0.00	0.00	0.00	0.00
11/1/2008	CAM	Common Area Maintenance	CH	4,653.31	4,653.31	0.00	0.00	0.00	0.00

BMR	Base/Minimum Rent	29,768.75	29,768.75	0.00	0.00	0.00	0.00
CAM	Common Area Maintenance	4,653.31	4,653.31	0.00	0.00	0.00	0.00
CAY	Prior Yr CAM Reimburse	-118.63	0.00	0.00	0.00	0.00	-118.63

Circuit City Total: 34,303.43 34,422.06 0.00 0.00 0.00 -118.63

BMR	Base/Minimum Rent	29,768.75	29,768.75	0.00	0.00	0.00	0.00
CAM	Common Area Maintenance	4,653.31	4,653.31	0.00	0.00	0.00	0.00
CAY	Prior Yr CAM Reimburse	-118.63	0.00	0.00	0.00	0.00	-118.63

BLDG WAL003 Total: 34,303.43 34,422.06 0.00 0.00 0.00 -118.63

BMR	Base/Minimum Rent	29,768.75	29,768.75	0.00	0.00	0.00	0.00
CAM	Common Area Maintenance	4,653.31	4,653.31	0.00	0.00	0.00	0.00
CAY	Prior Yr CAM Reimburse	-118.63	0.00	0.00	0.00	0.00	-118.63

Grand Total: 34,303.43 34,422.06 0.00 0.00 0.00 -118.63

EXHIBIT

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